

The Wyoming Department of Public Safety is committed to providing outstanding service to every person in our community. We are also committed to transparency, openness, and dialogue with our community stakeholders who would like to discuss the manner in which public safety is provided by our department. This approach applies to both our overall commitment to provide fair and equitable public safety as well as a willingness to respond when questions arise regarding particular incidents that our public safety officers respond to. We are always willing to evaluate the actions of our officers, discuss the circumstances associated with those actions, ensure appropriate protocols were followed, and assess whether or not any corrective actions need to be taken in order to best serve our community.

Questions have arisen regarding a call for police service that our public safety officers responded to on the afternoon of Sunday, Aug. 1, 2021. During this incident, a Realtor and his clients were briefly placed in handcuffs and detained while they were touring a house for sale. Community members and the media have asked for a response regarding whether or not the race of the Realtor and his clients played a role in the police response to this incident. After a thorough internal review of the actions of each of our public safety officers who responded to this incident, we have concluded race played no role in our officers' treatment of the individuals who were briefly detained, and our officers responded appropriately. While it is unfortunate that innocent individuals were placed in handcuffs, our officers responded reasonably and according to department policy based on the information available to them at the time.

Below is a timeline that details the Wyoming Department of Public Safety's responses to suspected unlawful entries at a home on Sharon Avenue SW on July 24 and August 1, the circumstances of these incidents, and the department's continuing evaluation of the response.

Video and audio associated with this incident can be located here:

- Dispatch call and radio communications: <https://www.youtube.com/watch?v=RyIHl78iN-s>
- In-car and body camera: <https://www.youtube.com/watch?v=bcGPFmrl8CI>

Saturday, July 24, 2021

6:35 p.m. The Kent County Dispatch Center received a call reporting a suspicious vehicle that had been around a neighbor's house for several days. A vehicle, described as a black Mercedes sedan, had been parked in the driveway and in front of the house at various times, leaving and returning several times. This was suspicious to the caller because the house was up for sale and supposed to be vacant. The caller had called the homeowner of the house in question prior to calling the police, and the homeowner told the caller that no one was supposed to be at the house. Officers from Wyoming Department of Public Safety were dispatched to the house.

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While officers were en route, the homeowner of the house in question arrived to check things out. The homeowner informed the first officer on the scene that neighbors had told him the driver of the sedan had been seen in the breezeway of the home at some point. The officer noticed the Mercedes was backed all the way into the driveway near the house and was uncertain whether anyone was in the house at that time.

As the officer waited for backup to arrive, an individual exited the front door of the house and sat on the front porch. Following standard department protocol, officers detained the individual and placed him in handcuffs before placing him in the rear of a police cruiser. During an interview, the individual told officers he was interested in buying the house and had been to the house a few times to check it out. He also admitted to entering the house on more than one occasion without a real estate agent or legal authority to do so.

The individual was subsequently arrested for unlawful entry and lodged at Kent County Correctional Facility. His car was towed out of the driveway and impounded. The Kent County Prosecutor's Office reviewed this incident on July 25, 2021 and issued a warrant for illegal entry. The suspect in this case has a previous conviction for misdemeanor assault with a dangerous weapon.

Sunday, August 1, 2021

2:12 p.m. The Kent County Dispatch Center received a call reporting the individual who had been arrested July 24 had returned to the same vacant house in the same car. This was a different caller than the one in the previous incident; however, the caller was aware of the previous arrest and had seen the arrested individual and his vehicle. The caller had been asked by the homeowner to keep an eye on the house. The caller said the same individual had arrived in the same black Mercedes sedan and parked on the street in front of the house. He had gotten out of the car, walked around and was now sitting back in the car.

2:15-2:19 p.m. (estimated) A Wyoming Public Safety officer phoned the caller to clarify this was the same vehicle and the same suspect from the previous incident. The caller confirmed this was the case, adding that two other males showed up and all three individuals had now entered the house. The officer informed other officers of these additional details, noting this was possibly a home invasion in progress. Four additional officers responded to this call to assist, which is standard department protocol.

2:24 p.m. The first officer arrived at the house in question and observed the front door was open. There were two vehicles parked in front of the house, and the officer could see people moving inside. One of them was a black Hyundai Genesis sedan, which looks similar to a Mercedes, and a black Chevrolet Malibu. Officers informed dispatch of the plates on both vehicles so they could be run through the Law Enforcement Information Network, or LEIN. Officers also requested dispatch call the homeowner. As additional officers arrived, a perimeter was established around the house per standard department policy for a

suspected home invasion. Officers requested dispatch "hold the air" for emergency radio traffic only.

- 2:26 p.m. Five patrol cars and five officers were on the scene. An officer gave loud verbal commands for anyone inside the house to come out. As the commands were being given by one officer, another officer observed individuals through a second story window. The individuals yelled to the officer they were going to come out and willingly showed the officer their hands. The officer instructed them to walk to the front door with their hands in the air.
- 2:27 p.m. Three individuals came to the front door and followed officers' instructions to keep their hands up. Officers then directed one of the individuals to walk toward their position on the street in front of the house. The first individual, Mr. Thorne, followed all directions given to him.
- 2:28 p.m. Mr. Thorne reached the officer and was placed in handcuffs per standard department protocol. Officers directed Mr. Thorne to sit in the back of a police car and explained he was being detained but was not under arrest. Officers then directed the second individual, Mr. Brown, to walk toward their position on the street in front of the house. Mr. Brown followed all directions given to him.
- 2:29 p.m. Mr. Brown was placed in handcuffs. Officers explained to him that neighbors were saying someone was breaking into the house and that the house had been broken into a few days prior. Mr. Brown told officers he was a Realtor. Another officer began giving verbal instructions to the third individual, Mr. Thorne's son. Officers instructed the son to walk toward their position on the street in front of the house. The son followed all directions given to him.
- 2:30 p.m. Mr. Thorne's son was placed in handcuffs. An officer walked him toward a police car and asked him to sit inside. As the son did this, the officer explained this was likely a misunderstanding. The officer explained the reason for the police response and the history of the previous break-in to Mr. Thorne and his son. Mr. Brown showed an officer his Realtor's license inside his wallet. The officer walked with Mr. Brown to the front of the house. Mr. Brown then showed the officer he had the passcode to the electronic key box on the front door in order to retrieve the housekey for the showing.
- 2:31 p.m. Upon confirming Mr. Brown was a Realtor, the officer immediately removed the handcuffs. Mr. Brown also confirmed he was showing the house to Mr. Thorne and his son. The officer informed other officers that he had confirmed Mr. Brown was a Realtor. Other officers immediately removed the handcuffs from Mr. Thorne and his son. Mr. Thorne and his son were seated in the rear of police cars by that time, but the officers had not yet closed the door. An officer apologized to Mr. Brown for the inconvenience, and Mr. Brown replied, "You gotta do what you gotta do."

- 2:32 p.m. An officer thanked Mr. Brown for his understanding. Mr. Brown said he understood the neighbor's concern, given the fact the house had previously been broken into. The officer informed Mr. Brown the individual who had been arrested a few days prior had arrived in a Mercedes sedan. Mr. Brown said his car definitely looks like a Mercedes.
- 2:33 p.m. A sergeant had arrived at the house by this time and spoke to Mr. Brown, Mr. Thorne and Mr. Thorne's son. The sergeant again explained the information and history associated with the police response. He apologized for the situation and thanked them for their understanding. He shook each of their hands before leaving.
- 2:35 (approximate) An officer informed the caller what had happened and that this was not the same individual who had previously been arrested and that a Realtor was showing the house.

Monday, August 2, 2021

The sergeant who had been on the scene informed executive command officers of the incident. He had debriefed the situation with the officers who had been on the scene and believed their response to have been in accordance with department policy and training.

Late in the day, Captain Pols was contacted by WOOD TV, which indicated it planned to air a story on this incident later that evening and that there were allegations the response to this incident was racially motivated. Captain Pols provided the department's response to the incident (see below).

Tuesday, August 3, 2021

Captain Wiler and Lieutenant Zuiderveen conducted a review of all body cam and in-car video associated with this incident. They noted no policy violations and indicated officers acted appropriately based on the information available to them at the time. A "show of force" report was completed by the officer who had displayed his sidearm in the presence of community members during this incident.

Additional Relevant Information:

The incoming calls for police service are received by Kent County Dispatch employees who serve as the dispatch center for Wyoming Department of Public Safety. Information from the incoming call is relayed to Wyoming officers by the dispatcher. Officers do not hear the actual incoming phone call.

The video from the first 30 seconds of in-car and body camera video does not record audio (audio is picked up after 30 seconds).

Two officers had their sidearms unholstered during this incident. One was on perimeter at the rear of the house and never had any contact with the individuals who were detained. The other officer was providing cover at the front of the house. When responding to a reported home invasion in progress with multiple individuals inside a home, this is standard protocol.

Chief Koster has reached out to Mr. Brown and offered to meet with him, Mr. Thorne, Mr. Thorne's son and any other family members who would like to discuss the events of Aug. 1, 2021. Mr. Brown said he would like to meet, and we are working with Mr. Brown to arrange a time to do so.

This statement and accompanying videos were provided to Mr. Brown's attorney at Mr. Brown's request prior to releasing them to the media and the public.

Original statement provided to news media

On August 1, our officers responded to a 911 call from a neighbor reporting that a house was being broken into. Officers were aware that a previous burglary had occurred at this same address on July 24 and that a suspect was arrested and charged for unlawful entry during that incident. The caller indicated that the previously arrested suspect had returned and again entered the house. When the officers arrived, there were people inside of the residence in question. Officers asked the individuals to come out of the house and placed them in handcuffs per department protocol. After listening to the individuals' explanation for why they were in the house, officers immediately removed the handcuffs. The Wyoming Department of Public Safety takes emergency calls such as this seriously and officers rely on their training and department policy in their response.*

*We subsequently learned the call came into the dispatch center on a non-emergency line.

Thank you,

Captain Timothy Pols